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IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVEN DIAZ,)	Case No. 2:05-cv-00376-MCE-CMK
)	
Petitioner,)	STIPULATION TO CONTINUE STATUS
)	CONFERENCE AND ORDER
vs.)	
)	
DERRAL G. ADAMS,)	
)	
Respondent.)	
)	

Petitioner, through his undersigned counsel, and Respondent, through his undersigned counsel, agree and stipulate that the status conference hearing currently scheduled for Thursday, March 3, 2011, should be vacated and continued until Thursday, April 21, 2011, at 10:00 a.m.

The parties agree that continuance of the status hearing is appropriate for the following reasons: On February 28, 2011, the Ninth Circuit Court of Appeals recalled the mandate that it had previously issued. Respondent anticipates filing a Petition for Writ of Certiorari in the United States Supreme Court. That pleading is due no later than April 12, 2011. After that date, the Supreme Court will have jurisdiction in this matter. Consequently, no appearance by the parties appears necessary until mid-April 2011.

Accordingly, the parties agree and stipulate that the status conference be continued until 10:00 a.m. on Thursday, April 21, 2011.

IT IS SO STIPULATED:

/S/ MICHAEL B. BIGELOW

March 2, 2011

Michael B. Bigelow, Esq.
Counsel for Petitioner

/S/ BARTON BOWERS

March 2, 2011

Barton Bowers,
Deputy Attorney General
Counsel for Respondent

ORDER

Good cause appearing, **IT IS HEREBY ORDERED** that the status conference in the above entitled case is continued to **April 21, 2011, at 10:00 AM.**

IT IS SO ORDERED.

DATE: March 2, 2011



MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE